

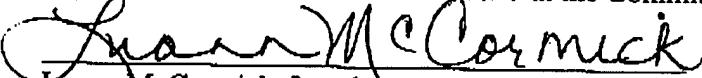
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICEHC

Applicant: Ruggero M. Santillo)
S.N.: 09/826,183) Examiner: Currently T. Tran
Filed: April 4, 2001) Supervisor Currently
Confirmation No.: 9175) James Seidleck
For: NEW CHEMICAL SPECIES OF A) Art Unit: 1711
MAGNECULE)

)

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 C.F.R. 1.8)

I hereby certify that this **PETITION FOR APPOINTMENT OF NEW EXAMINER** is being facsimile transmitted to the Patent and Trademark Office (FAX No. 703-872-9310 for Supervisor Seidleck and 703-305-8825 at the Commissioner's Office) on February 4, 2003.


Luann McCormick, Legal Assistant

ATTN: Office of Assistant Commissioner - Ester Keplinger
ATTN: Supervisor Seidleck in Art Group 1711

PETITION FOR APPOINTMENT
OF NEW EXAMINER

FAX RECEIVED

Hon. Commissioner for Patents
Washington, DC 20231

FEB 05 2003

Dear Sir:

GROUP 1700

Request for Appointment of New Examiner:

It pains Applicant and his undersigned representative to be placed in a situation as to leave Applicant no choice but to respectfully request that a new Examiner be appointed to examine this case. The Examiner's conduct in examining a related application and the

Patent Office determination that the Examiner should be replaced in that instant case (Application Ser. No. 09/586,926 filed June 5, 2000) as a result of her inability to comprehend the features claimed, mandates that she should not be involved in the instant related application. Further, there may be bias on her part for having been removed from the previous case, thereby again contributing to a potential continued unfair and poor examination of the instant application. Ms. Tran is no longer in Art Unit 1740 (area) as she has been transferred to Art Unit 1711, not the appropriate unit to examine the subject matter of the instant application.

Applicant herein incorporates by reference all the reasons described in Applicant's July 29, 2002 Petition to Appoint a New Examiner in the '926 application case and as documented in a letter of complaint dated August 12, 2002, that was hand walked to the Assistant Commissioner's Office (Ester Keplinger) by Director Harry Moatz, as further supporting reasons why Ms. Tran was transferred to another group (1711) and should not be assigned the present case for review.

Further, Ms. Tran had absolute no involvement in the parent application to this instant CIP application, therefore, there is no logic to assigning this case to her in Group 1711 when it belongs somewhere in the Group 1740 area.

REQUEST FOR PERSONAL INTERVIEW WITH NEWLY ASSIGNED EXAMINER:

Applicant and his undersigned representative respectfully request an opportunity for a personal interview before the Examination on the merits of the response. Applicant believes that such an interview will greatly assist the new Examiner in understanding the invention, and concerns previously raised by the Examiner in the parent application can be discussed in an effort to advance the case to allowance. Such an interview will be of mutual benefit to all parties.

Very respectfully,

Dated: 2/4/03

Dennis G. LaPointe
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FAX COVERSHEET

TO: Supervisor Seidleck Fax No.: 703.872.9310
TO: Commissioner's Office Fax No.: 703.305.8825

Total number of pages: 3
FROM: Luann McCormick, Legal Assistant OUR FILE: 3293.004A
SUBJECT: THE NEW CHEMICAL SPECIES OF A MAGNECULE

S.N.: 09/826,183
Filed: April 4, 2001

XXX Confirmation copy not sent
Confirmation copy sent

DOCUMENT(S) ATTACHED: Petition for Appointment of New Examiner

COMMENTS: Please see the attached document in connection with the subject case.

Thank you.

Sincerely,

Luann McCormick
Luann McCormick
Legal Assistant
Mason Law, P.A.

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FEB 05 2003
GROUP 1700

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